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Patent

Attorney Docket: 259/075

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:
McNulty et al.

Serial No.: 09/729,638

Filed: December 1, 2000

For: REAL-TIME CONTEXT-SENSITIVE
CUSTOMIZATION OF USER-REQUESTED
CONTENT

Group Art Unit: 2152

Examiner: Tonya Lee

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TRANSMITTAL FOR FILING POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is the original Power of Attorney for **TOP SPIN LLC**, with an attached copy of the Recordation Form Cover Sheet indicating assignment of the above-identified application from Ping Pong Technology, Inc. to TopSpin LLC.

The Recordation fee was previously paid, but if additional fees are required, please charge such fees to deposit account number **12-2475**.

Respectfully submitted,
LYON & LYON LLP

Dated: June 14, 2001

By: Corrine M. Freeman
Corrine M. Freeman
Reg. No. 37,625

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(949) 567-2300

OC-84097.1

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

June 14, 2001
Date of Deposit

Tillie M. Jackson

Name of Person Mailing Paper

Tillie M. Jackson
Signature of Person Mailing Paper



**POWER OF ATTORNEY
By Assignee**

TOP SPIN LLC, assignee(s) of the application for United States Letters Patent for an improvement
in

REAL-TIME CONTEXT-SENSITIVE CUSTOMIZATION OF USER-REQUESTED CONTENT
by McNulty et al.

the specification of which:

- ☐ is filed herewith, OR
☒ was filed on December 1, 2000, having U.S. Patent Application Serial No. 09/729,638

does hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by Customer Number 22249:



22249
PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600

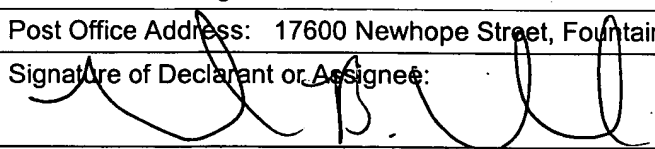
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Please send all inquiries to Donald Daybell, at the above Customer Number.

I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor(s) to the assignee(s), which:

- ☐ is filed for recordation herewith; or
☐ was recorded at Reel _____, Frame _____; or
☒ has been sent for recordation under separate cover, copy attached herewith.

To the best of the undersigned's knowledge and belief, title is in the assignee(s) identified above. Furthermore, the undersigned is empowered to sign this document on behalf of the assignee(s).

Full Name of Assignee: TOP SPIN LLC	
Post Office Address: 17600 Newhope Street, Fountain Valley, Ca 92708	
Signature of Declarant or Assignee: 	Date: 6/8/01
Full Name of Declarant	
If Other Than Assignee: Richard B. Drinkward	
Title of Declarant: Chief Financial Officer	
Address of Declarant: 17600 Newhope Street, Fountain Valley, CA 92708	

FORM PTO-1595
1-31-92

Docket No. 248/270, 259/075
259/075



RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
PingPong Technologies, Inc.
Additional name(s) of conveying party(ies) attached?
☐ Yes ☒ No

3. Nature of conveyance:
☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: April 30, 2001

2. Name and address of receiving party:

Name: Top Spin LLC

Internal Address: _____

City: _____ State: _____ Zip: _____

Street Address: 17600 Newhope Street

City: Fountain Valley State: California Zip: 92708

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No(s): 09/694,642, 09/724,779 & 09/729,638

B. Patent No(s): _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Corrine M. Freeman

Internal Address: LYON & LYON LLP

633 West Fifth Street, Suite 4700
Los Angeles, CA 90071-2066

6. Total number of applications and patents involved: 2100

7. Total fee (37 CFR 3.41): \$ 120.00

☒ Enclosed

☐ Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: 12-2475

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Corrine M. Freeman

Corrine M. Freeman, Reg No. 37,625

Date: May 11, 2001

Total number of pages including cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)

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ASSIGNMENT

WHEREAS, PingPong Technology, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware and having a place of business at 17650 Newhope Street, Fountain Valley, California 92708 (hereinafter referred to as "ASSIGNOR"), is owner (via assignment from the inventors) of applications for United States patents entitled "REAL-TIME CONTEXT-SENSITIVE CUSTOMIZATION OF USER-REQUESTED CONTENT", which have been filed October 23, 2000, November 28, 2000, and December 1, 2000, and assigned Application Serial Numbers 09/729,638, 09/724,779, and 09/694,642, respectively, and is owner (via assignment from the inventors) of the inventions described therein; and

WHEREAS, Top Spin LLC, a California limited liability company organized and existing under and by virtue of the laws of the State of California and having a place of business at 17600 Newhope Street, Fountain Valley, California 92708 (hereinafter referred to as "ASSIGNEE") is desirous of acquiring the exclusive right, title, and interest in and to the inventions and patent applications filed thereon, and in and to any Letters Patent or similar legal protection to be granted and issued therefore in the United States of America, its territories and possessions, and in all countries foreign thereto;

NOW THEREFORE, for good and valuable consideration acknowledged by the ASSIGNOR to have been received in full from the ASSIGNEE:

The ASSIGNOR does hereby sell, assign, transfer, and convey unto the ASSIGNEE, the entire right, title, and interest (a) in and to the applications and the inventions; (b) in and to all rights to apply for foreign patents on the inventions pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and

any and all patents granted on the inventions in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of the applications, and (d) in and to each and every reissue or extensions of any of the patents.

The ASSIGNOR hereby jointly and severally covenants and agrees to cooperate with the ASSIGNEE to enable the ASSIGNEE to enjoy the fullest extent the right, title, and interest herein conveyed in the United States and foreign countries. Such cooperation by the ASSIGNOR shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations, or other papers, and other assistance all to the extent deemed necessary or desirable by the ASSIGNEE (a) for perfecting in the ASSIGNEE the right, title, and interest herein conveyed; (b) for prosecuting any of the applications; (c) for filing and prosecuting substitute, divisional, continuing, or additional applications covering the invention; (d) for filing and prosecuting applications for reissuance of any of the patents; (e) for interference or other priority proceedings involving the invention, and (f) for legal proceedings involving the inventions and any applications therefor and any patents granted thereon, including, without limitation, opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions, and court actions, provided, however, that the expense incurred by the ASSIGNOR in providing such cooperation shall be paid for by the ASSIGNEE.

The terms and covenants of this Assignment shall inure to the benefit of the ASSIGNEE, its successors, assigns, and other legal representatives and shall be binding upon the ASSIGNOR, its respective heirs, legal representatives, and assigns.

The ASSIGNOR hereby jointly and severally warrants and represents that it has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

Executed at Fountain Valley, California, this 30 day of APRIL, 2001.

PINGPONG, INC.

By

Richard Drinkward
Chief Financial Officer

STATE OF CALIFORNIA)

) ss

COUNTY OF ORANGE)

On APRIL 30, 2001, before me, SILVIA D. NELSON, personally appeared Richard Drinkward ☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Silvia D. Nelson

Notary Public in and for said County and State

